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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,028	11/03/2003	Donald E. Smith	03-8008	3407
25537	7590	10/29/2007		
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER HALE, ADAM G	
			ART UNIT 4175	PAPER NUMBER
			NOTIFICATION DATE 10/29/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

Office Action Summary

Application No.

10/700,028

Applicant(s)

SMITH, DONALD E.

Examiner

Adam G. Hale

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 – 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, claims 1, 9, 11, 16 and 17 are all directed to connecting a plurality of customers sharing a common interest. The specification does not enable one skilled in the art in how to determine which customers share a common interest.
3. The remainder of the claims are rejected based on their dependency from claims 1, 9, 11, 16 and 17.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 1 refers to notifying said each of said plurality about said domain by including information in its respective billing statements.

It is unclear whose billing statements the notifications are provided in, is it the customers or the domain? For purposes of examination the Examiner considers it to be the billing statements of the customer.

6. Claim 1 recites the limitation "the same service provider" in the third line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 11, 13, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by "User sues Yahoo! for Revealing Identity" (hereinafter referred to as "Yahoo").

9. **With respect to claim 11**, Yahoo inherently discloses a computer-readable medium containing a plurality of instructions that, when executed by at least one processor, causes said at least one processor to perform a method for interconnecting through a communications network a plurality of customers who are associated with a service provider and share a common interest, said method comprising: allowing said plurality of customers to have access to a domain associated with said service provider (interpreted to be the disclosure of an internet message board, which inherently teaches the providing of a URL for access to a domain,, para 4 and 6 page 1); accepting data

from at least one of said plurality of customers, verifying a true identity of said at least one of said plurality of customers based upon at least a portion of said data (interpreted to be inherently disclosed as the reference teaches that Yahoo was able to provide the true identity of a user to a third party, para 3 and 4 page 2); mapping said true identity to an alias associated with said at least one of said plurality of customers (interpreted to be inherently disclosed as the reference teaches that a true identity is associated with an alias, para 3 and 4 page 2); allowing others of said plurality of customers with access to said domain to have access only to said alias while keeping said true identity in confidence (interpreted to be the disclosure that pseudonyms are used by users to conceal users identities, para 1 page 2).

10. **With respect to claim 13**, Yahoo discloses storing said domain and information about those of said plurality of customers having access to said domain (interpreted to be inherently disclosed as the reference teaches the use of pseudonyms by users to conceal their identities, para 1 page 2, and one skilled in the art would recognize that a password is required to gain access to such an internet message forum and that such information must be stored).

11. **With respect to claim 14**, Yahoo discloses wherein said allowing includes a server coupled to said communications network (interpreted to be inherently disclosed as the reference teaches the use of an internet message board, which requires the use of a server associated with a URL being made available to customers or users, para 4 and 6 page 1).

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12. **With respect to claim 15**, Yahoo discloses at least one of said plurality of customers uses a web browser to access said domain (interpreted to be inherently disclosed as the reference teaches the use of an internet message forum, para 4 and 6 page 1, para 1 page 2, which requires the use of a web browser to access).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

15. Claims 1- 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yahoo in view of Munsil et al. US 5761650 (hereinafter referred to as "Munsil").

16. **With respect to claim 1**, Yahoo discloses a method for connecting a plurality of customers sharing a common interest (internet message board with a defined area for users to post content regarding a shared interest (here, a company), para 4 and 6 page

1, para 1 page 2) and using a domain accessible through a communications network (internet message board, para 4 and 6 page 1), said service provider communicatively linked to said domain (internet message board, para 4 and 6 page 1), providing said each of said plurality with access to said domain (user accessed internet message board, para 1 page 2); and allowing at least a subset of said plurality of customers to communicate with each other using said domain while not disclosing true identity of each customer of said subset to others of said plurality (interpreted to be the disclosure of the reference that users have pseudonyms or aliases to protect their identities from other users (para 1, 3 and 10 page 2). Yahoo does not explicitly disclose the remainder of the limitations of claim 1.

Munsil discloses users each of said plurality having a billing address and an account associated with the same service provider (interpreted to be the disclosure that local telephone service providers, long distance telephone service providers and other similar companies store customer data, lines 57 – 61, col. 3), said method comprising: notifying said each of said plurality about said domain by including information in its respective billing statement (interpreted to be the disclosure that messages, notices and inserts relevant to particular customer qualify for insertion into a billing statement for a customer, lines 17 – 24, col. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the method of providing users that share a common interest a forum to communicate as disclosed in Yahoo through a notification method as disclosed in Munsil, as Munsil teaches that is beneficial to include with billing statements notifications that are tailored to groups of users (see

lines 58 – 67 col. 10), and a billing statement would be recognized as an efficient method and vehicle to insert a notification about a forum where users or customers sharing a common interest can gather. In addition has long been standard practice to include notifications in billing statement to customers or users, the content of which is tailored to the particular customer or user.

17. **With respect to claim 2**, Munsil discloses wherein said notifying further includes mailing said billing statement to each of said plurality (billing statements are mailed every month, lines 11 – 14 col. 3).

18. **With respect to claim 3**, Yahoo discloses providing said plurality with a universal resource locator (URL), said URL for allowing said plurality access to said domain (interpreted to be the disclosure of an internet message board, which inherently teach the providing of a URL for access to a domain,, para 4 and 6 page 1).

19. **With respect to claim 4**, Yahoo discloses wherein said access means includes a server associated with a URL and made available to said plurality of customers, said server facilitating access to said domain by said plurality (interpreted to be inherently disclosed as the reference teaches the use of an internet message board, which requires the use of a server associated with a URL being made available to customers or users, para 4 and 6 page 1).

20. **With respect to claim 5**, Munsil discloses wherein said addresses are used in establishing said subset of said plurality (interpreted to be the disclosure of Munsil that various criteria can be used in determining what messages to insert in a billing statement based on stored data about the customer, Fig. 6 and lines 17 – 21 col. 3, and

one having ordinary skill in the art would recognize that stored data about a customer would include their respective address).

21. **With respect to claim 6**, Yahoo discloses wherein said domain is only accessible to those of said plurality sharing said common interest (interpreted to be the disclosure of an internet message board with a defined area for users to post content regarding a shared interest (here, a company), para 4 and 6 page 1, para 1 page 2).

22. **With respect to claim 7**, Yahoo discloses wherein said providing further requires that said each of said plurality enter a password to gain access to said domain (interpreted to be inherently disclosed as the reference teaches the use of pseudonyms by users to conceal their identities, para 1 page 2, and one skilled in the art would recognize that a password is required to gain access to such an internet message forum).

23. **With respect to claim 8**, Yahoo discloses wherein said true identity associated with said each of said subset is uniquely associated with a respective alias in a manner that does not reveal said true identity to others of said subset, said alias being made available to others of said subset to identify respective ones of said subset (interpreted to be the disclosure that pseudonyms are used by users to conceal users identities, para 1 page 2).

24. **With respect to claim 9**, Yahoo discloses a system for allowing a plurality of customers sharing a common interest to communicate over a network (internet message board with a defined area for users to post content regarding a shared interest (here, a company), para 4 and 6 page 1, para 1 page 2), a domain associated with said

service provider for allowing said each of said plurality to communicate with each other (user accessed internet message board, para 1 page 2); a server associated with said domain for allowing said each of said plurality to access said domain upon authentication (interpreted to be inherently disclosed as the reference teaches the use of an internet message board, which requires the use of a server associated with a URL being made available to customers or users, para 4 and 6 page 1), interaction means for allowing said other of said plurality having access to said domain to communicate with each other and with said at least one of said plurality using their respective aliases (interpreted to be the disclosure of the reference that users have pseudonyms or aliases to protect their identities from other users (para 1, 3 and 10 page 2). Yahoo does not explicitly disclose the remainder of the limitations of claim 9.

Munsin discloses a service provider having an account with each of said plurality (interpreted to be the disclosure that local telephone service providers, long distance telephone service providers and other similar companies store customer data, lines 57 – 61, col. 3); billing means controlled by said service provider for invoicing each said account (see abstract), notification means associated with said billing means for informing said each of said plurality about said domain, (interpreted to be the disclosure that messages, notices and inserts relevant to particular customer qualify for insertion into a billing statement for a customer, lines 17 – 24, col. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the method of providing users that share a common interest a forum to communicate as disclosed in Yahoo through a notification method as disclosed in

Munsil, as Munsil teaches that is beneficial to include with billing statements notifications that are tailored to groups of users (see lines 58 – 67 col. 10), and a billing statement would be recognized as an efficient method and vehicle to insert a notification about a forum where users or customers sharing a common interest can gather. In addition has long been standard practice to include notifications in billing statement to customers or users, the content of which is tailored to the particular customer or user.

25. **With respect to claim 10**, Yahoo discloses authentication means for allowing at least one of said plurality to establish its identity;

associating means for mapping said identity to an alias associated with said at least one of said plurality, said alias being made available to other of said plurality having access to said domain, said alias further concealing true identity of said at least one of said plurality (interpreted to be the disclosure that pseudonyms are used by users to conceal users identities, para 1 page 2); storage means for archiving said domain and information about said at least one of said plurality and said other of said plurality having access to said domain (interpreted to be inherently disclosed as one having ordinary skill in the art would recognize that an internet message board system as disclosed in Yahoo must provide storage means to accomplish the objective of the claim limitation in order to properly function); and interaction means for allowing said other of said plurality having access to said domain to communicate with each other and with said at least one of said plurality using their respective aliases (internet message board with a defined area for users to post content regarding a shared interest (here, a company) using pseudonyms, para 4 and 6 page 1, para 1 page 2).

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26. **With regards to claim 12**, Yahoo teaches the limitations of claim 11 as detailed above, but does not explicitly teach the limitations of claim 12. Munsil teaches notifying said plurality of customers by including information in a billing statement associated with said service provider (interpreted to be the disclosure that messages, notices and inserts relevant to particular customer qualify for insertion into a billing statement for a customer, lines 17 – 24, col. 3). While Munsil does not explicitly teach notifying customers about a domain in billing statements, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the method of providing users that share a common interest a forum to communicate as disclosed in Yahoo through a notification method as disclosed in Munsil, as Munsil teaches that is beneficial to include with billing statements notifications that are tailored to groups of users (see lines 58 – 67 col. 10), and a billing statement would be recognized as an efficient method and vehicle to insert a notification about a forum where users or customers sharing a common interest can gather. In addition has long been standard practice to include notifications in billing statement to customers or users, the content of which is tailored to the particular customer or user.

27. **With regards to claim 16**, Yahoo teaches a data display for displaying information about a domain to a customer associated with a service provider (internet message board with a defined area for users to post content regarding a shared interest (here, a company), para 4 and 6 page 1, para 1 page 2), to said customer for facilitating communication with persons having a common interest with said customer (para 4 and 6 page 1, para 1 page 2), said data display comprising:

a logon field for receiving input data from said customer, said input data for establishing an identity of said customer (interpreted to be inherently disclosed as the reference teaches the use of pseudonyms by users to conceal their identities, para 1 page 2, and one skilled in the art would recognize that a username or login is required to gain access to such an internet message forum); an alias field for displaying an alias associated with said customer, said alias further being made available to persons having access to said domain and sharing said common interest with said customer (interpreted to be the disclosure of the reference that users have pseudonyms or aliases to protect their identities from other users (para 1, 3 and 10 page 2); and a selection field for allowing said customer to choose a topic of interest, said topic of interest being linked to at least a subset of said persons sharing said common interest with said customer (interpreted to be inherently disclosed as the reference teaches that users are able to post messages and communicate on a specific forum dedicated to posts about a particular company, para 1 page 2, and one skilled in the art would recognize that there a plethora of forums for different topics of interest available for a user to select from). Yahoo does not explicitly teach the remainder of the limitations of claim 16.

Munsil teaches notifying said plurality of customers by including information in a billing statement associated with said service provider (interpreted to be the disclosure that messages, notices and inserts relevant to particular customer qualify for insertion into a billing statement for a customer, lines 17 – 24, col. 3). While Munsil does not explicitly teach notifying customers about a domain in billing statements, it would have

been obvious to a person having ordinary skill in the art at the time the invention was made to combine the method of providing users that share a common interest a forum to communicate as disclosed in Yahoo through a notification method as disclosed in Munsil, as Munsil teaches that is beneficial to include with billing statements notifications that are tailored to groups of users (see lines 58 – 67 col. 10), and a billing statement would be recognized as an efficient method and vehicle to insert a notification about a forum where users or customers sharing a common interest can gather. In addition has long been standard practice to include notifications in billing statement to customers or users, the content of which is tailored to the particular customer or user.

28. **With respect to claim 17**, Yahoo discloses a method for enabling each customer in a plurality of customers of a service provider to determine if other customers in said plurality have one or more interests in common with said each customer and to anonymously communicate over a network with certain of said other customers having said interests in common (internet message boards are provided for particular topics, para 1 page 2), said method comprising:

providing said each customer with access to said domain and access to information about said interests of said other customers to permit said anonymous communication between said each customer and said certain of said other customers (access is provided to users over the internet, pseudonyms are utilized by the users to conceal their true identities from each other, para 1 and 4 page 2). Yahoo does not explicitly teach the remainder of the limitations of claim 17.

Munsil teaches notifying said each customer by way of its respective billing statement from said service provider about a common domain in said network over which anonymous communication may take place; (interpreted to be the disclosure that messages, notices and inserts relevant to particular customer qualify for insertion into a billing statement for a customer, lines 17 – 24, col. 3). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the method of providing users that share a common interest a forum to communicate as disclosed in Yahoo through a notification method as disclosed in Munsil, as Munsil teaches that is beneficial to include with billing statements notifications that are tailored to groups of users (see lines 58 – 67 col. 10), and a billing statement would be recognized as an efficient method and vehicle to insert a notification about a forum where users or customers sharing a common interest can gather. In addition has long been standard practice to include notifications in billing statement to customers or users, the content of which is tailored to the particular customer or user.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam G. Hale whose telephone number is 571-270-3509. The examiner can normally be reached on Monday through Thursday 7:30 - 6:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


AGH
10/18/07


Terrence R. Till
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